

Magistrate Judge S. Kate Vaughan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RACHEL WARIARA KARIUKI,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, *et al.*,

Defendants.

No. C23-6097-SKV

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
[PROPOSED] ORDER

Noted for Consideration:
January 19, 2024

Plaintiff brought this litigation pursuant to the Mandamus Act and the Administrative Procedure Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate her Form I-589, Application for Asylum and for Withholding of Removal. Defendants’ response to the Complaint is currently due on February 16, 2024. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until July 3, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
2 P. 1.

3 With additional time, this case may be resolved without the need of further judicial
4 intervention. USCIS has scheduled Plaintiff’s asylum interview for March 5, 2024. USCIS agrees
5 to diligently work towards completing the adjudication within 120 days of the interview, absent
6 unforeseen or exceptional circumstances that would require additional time for adjudication. If
7 the adjudication is not completed within that time, USCIS will provide a status report to the Court.
8 Plaintiff will submit all supplemental documents and evidence, if any, to USCIS seven to ten days
9 prior to the interview date. Plaintiff recognizes that failure to submit documents prior to the
10 interview may require the interview to be rescheduled and the adjudication delayed. If needed,
11 Plaintiff will bring an interpreter to the interview, otherwise the interview will need to be
12 rescheduled and the adjudication delayed. Once the application is adjudicated, Plaintiff will
13 dismiss the case with each party to bear their own litigation costs and attorneys’ fees. Accordingly,
14 the parties request this abeyance to allow USCIS to conduct Plaintiff’s asylum interview and then
15 process her asylum application.

16 As additional time is necessary for this to occur, the parties request that the Court hold the
17 case in abeyance until July 3, 2024. The parties will submit a joint status report on or before July
18 3, 2024.

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1 Dated: January 19, 2024

Respectfully submitted,

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8 ***I certify that this memorandum contains***
9 ***364 words, in compliance with the Local***
10 ***Civil Rules.***

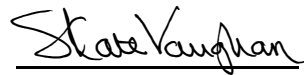
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[PROPOSED] ORDER

The case is held in abeyance until July 3, 2024.¹ The parties shall submit a joint status report on or before July 3, 2024. It is so **ORDERED**.

DATED this 23rd day of January, 2024.



S. KATE VAUGHAN
United States Magistrate Judge

¹ The parties should note, however, that the deadline to decline consent to proceed before a Magistrate Judge remains January 30, 2024. *See* Dkt. 9.